

February 20, 2020

The Honorable Rick Wilborn, Chairperson
Senate Committee on Judiciary
Statehouse, Room 541C-E
Topeka, Kansas 66612

Dear Senator Wilborn:

SUBJECT: Fiscal Note for SB 420 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 420 is respectfully submitted to your committee.

SB 420 would require a person convicted of a breach of privacy where a video tape, photograph, film or image that was obtained by use of a concealed camera was disseminated to register as a sex offender.

The Kansas Bureau of Investigation states there were four breach of privacy arrests entered into the criminal history database maintained by the agency in FY 2019. Due to the low number of entries, the agency indicates that enactment of the bill would have a negligible fiscal effect that could be absorbed within existing resources.

The Kansas Sentencing Commission estimates that enactment of SB 420 could have an effect on prison admissions, prison beds, and the workload of the Commission. However, a fiscal effect cannot be determined. The current estimated available bed capacity is 9,916. Based upon the Commission's most recent ten-year projection contained in its *FY 2020 Adult Inmate Prison Population Projections* report, it is estimated that the year-end population for available capacity will be over capacity by 258 inmates in FY 2020 and 524 inmates in FY 2021. The Department of Corrections would house any additional inmates over the capacity limit in county jails or out-of-state contract beds at a rate ranging from \$40 per day to \$74.76 per day.

The Office of Judicial Administration indicates that enactment of the bill would have a negligible fiscal effect that could be absorbed within existing resources. Any fiscal effect associated with SB 420 is not reflected in *The FY 2021 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "L. L. Campbell". The signature is fluid and cursive, with the first name "L." and last name "Campbell" clearly visible.

Larry L. Campbell
Director of the Budget

cc: Paul Weisgerber, KBI
Mary Rinehart, Judiciary
Scott Schultz, Sentencing Commission
Randy Bowman, Corrections